

EXHIBIT 4

TO

PLAINTIFF'S CONTROVERTING STATEMENT OF FACTS

IN RESPONSE TO

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

Cleopatra Martinez,)
)
 Plaintiff,)
)
vs.) NO. CV 15-01759 NVW
)
)
Maricopa County Community)
College District, a political)
subdivision of the State, and)
Rufus Glasper and Debra)
Gasper, husband and wife,)
)
 Defendants.)
)
)

RULE 30(B) (6) DEPOSITION OF JUDY CASTELLANOS

Phoenix, Arizona
December 15, 2016
10:23 a.m.

*Miller Certified Reporting, LLC
Post Office Box 513
Litchfield Park, Arizona 85340
(P) 623-975-7472 (F) 623-975-7462
www.MillerCertifiedReporting.com*

Nicole Tatlow, RPR
Certified Reporter (AZ 50671)

1	No. 9	Suspension Documents for Jason Martinez	60
2	No. 10	Suspension Documents for Walter Kehowski	61
3	No. 11	Suspension Information for Harry Kaino	62
4	No. 12	Suspension Documents for Scott Geddis	63
5	No. 13	Suspension Documents for David Sanchez	63
6	No. 14	E-mails dated August 11, 12, and 13, 2014	64
7	No. 15	E-mail dated August 13, 2014	65
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

1 A. These were in regards to Dr. Martinez's
2 dismissal, binding, that the committee presented to the
3 Chancellor for his or her review.

4 Q. So --

5 MS. BALCH: Edmundo, if you want to continue this
6 line of questioning here --

7 MR. ROBAINA: Well, she's here on a 30(b)(6) --

8 MS. BALCH: -- you certainly can.

9 Yeah, yeah, yeah. But --

10 MR. ROBAINA: -- to answer regarding MCCCD
11 policies related to discipline.

12 MS. BALCH: No, I understand. I think that the
13 witness is getting a little bit confused, though, as to kind
14 of legal terminology. If -- I'm happy to offer -- if you
15 want to take a quick break, I think I can speed this along.
16 If you want to continue, you're welcome to.

17 MR. ROBAINA: No, I -- I want to continue.

18 THE WITNESS: Can I take a break?

19 MR. ROBAINA: Sure.

20 (Recess taken from 10:55 a.m. to 11:07 a.m.)

21 MR. ROBAINA: So before we -- before I forget it,
22 are we going to stipulate that -- let me start it this way.

23 BY MR. ROBAINA:

24 Q. You understand that you're here on a 30(b)(6)
25 deposition representing MCCCD with respect to Residential

1 Faculty Policies -- I'm sorry -- with respect to MCCCD
2 policies related to discipline, Cleopatra Martinez's
3 suspension, including any process given to her with respect
4 to suspensions -- I'm sorry -- any process given with
5 respect to -- let me start that again.

6 You're also here for -- in relation to
7 Cleopatra Martinez's suspension, including any process
8 given with respect to suspensions. Do you understand that?

9 A. Yes.

10 Q. And you're also here regarding any pronouncements
11 regarding decisions made by the Governing Board related to
12 Dr. Martinez. Do you understand that?

13 MS. BALCH: I don't necessarily know that she's
14 the person most knowledgeable to stipulate all that,
15 Counsel.

16 MR. ROBAINA: Okay. So we'll stipulate on that
17 one?

18 MS. BALCH: We'll stipulate at No. 4. Correct.

19 MR. ROBAINA: Let's talk about that one real
20 quickly. So we're stipulating that the Governing Board made
21 no pronouncements with regard to Dr. Martinez, the intent to
22 dismiss her, or her suspension, correct?

23 MS. BALCH: Yes. The intent to dismiss or
24 suspension order issued in this case.

25 MR. ROBAINA: Okay. They have not made any

1 actions with regard to her at all? With regard to
2 suspension or intent to dismiss, right?

3 MS. BALCH: That is my understanding. We are
4 willing to stipulate to that.

5 MR. ROBAINA: Okay.

6 BY MR. ROBAINA:

7 Q. Who do you report to?

8 A. Barb Basel.

9 Q. I'm sorry. I should -- I should ask, during the
10 time frame relevant to this case, which is 20- -- 2013 and
11 2014, who did you report to?

12 A. 2013, I want to say James Bowers.

13 Q. Okay. Is he still with the District?

14 A. No.

15 Q. Was he succeeded by LaCoya Shelton-Johnson?

16 A. No. He was the director of the HR Solutions
17 Center.

18 Q. Oh.

19 A. Then he was interim as the Vice Chancellor, and
20 then LaCoya Shelton-Johnson received that position.

21 Q. Okay. Let me show you what I'd like to have
22 marked as Exhibit 5.

23 (Exhibit No. 5 marked.)

24 BY MR. ROBAINA:

25 Q. Will you take a look at that? You don't have to